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August 11, 2014

Priority Mail

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451
Attn: Christen M. English, Interlocutory Attorney

#85669577

Re: *Howl at the Moon Restaurant and Bar v. Howl USA LLC*,
Cancellation No. 92057921

Dear Attorney English:

This firm represents the Petitioner, Howl at the Moon Restaurant and Bar, having appeared and duly substituted as counsel of record for the defendants on July 11, 2014 in the federal court action, *Howl USA, LLC v. Howl-At-The Moon, Inc., et al.*, 13-CV-04035 (JSR) in the U.S. District Court for the Southern District of New York (the "Federal Action"). By Order dated January 13, 2014, the Trademark Trial and Appeal Board (the "Board"), suspended the above-referenced Cancellation Proceeding pending the final disposition of the Federal Action.

This is to advise the Board that the Federal Action has been dismissed with prejudice, by the agreement of the parties. Annexed hereto is a copy of the Stipulation and Order of Dismissal dated July 29, 2014.

Accordingly, the parties jointly respectfully request that this Cancellation Proceeding be dismissed with prejudice, with each party bearing its own costs and expenses.

We thank the Board for its consideration.

Respectfully submitted,

Mark A. Weissman

MAW/ac
Encl.



08-14-2014

U.S. Patent and Trademark Office #72

cc: Mark Peroff, Esq. (counsel for Respondent)

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USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/29/2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWL USA, LLC,

Plaintiff-Counter Defendant,

-against-

HOWL-AT-THE-MOON, INC.,
HOWL AT THE MOON RESTAURANT & BAR, L.L.C
and HOWL AT THE MOON RESTAURANT CORP.,

Defendants-Counter Claimants.

Civil Action No.
13 Civ. 4035 (VEC)

**REVISED STIPULATION AND
ORDER OF DISMISSAL**

Pursuant to Rules 41(a) and 41(c) of the Federal Rules of Civil Procedure, Plaintiff-Counter Defendant Howl USA, LLC, and Defendants-Counter Claimants Howl-At-The-Moon, Inc., Howl At The Moon Restaurant & Bar, L.L.C., and Howl At The Moon Restaurant Corp. hereby stipulate that the above-captioned action is hereby dismissed with prejudice in its entirety. Each party will bear its own costs and expenses.

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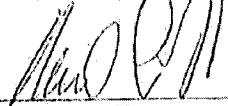
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Dated: New York, New York
July 28, 2014

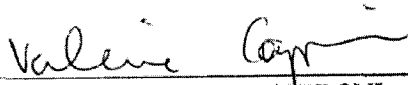
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SO ORDERED.

By: 
HON. VALERIE E. CAPRONI
United States District Court Judge

Date: July 29, 2014